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Attorneys for Plaintiffs/Debtors and
Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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	:	
In re:	:	
	:	
DELTA AIR LINES, INC., et al.,	:	
	:	
Debtors.	:	
	:	Chapter 11 Case No.
	:	
	:	05-17923 (ASH)
-----	X	(Jointly Administered)
DELTA AIR LINES, INC. et al.,	:	
	:	
Plaintiffs,	:	
v.	:	Adv. Pro. No. 05-03614
	:	
DENNIS SMITH, individually and on behalf of	:	
all others similarly situated,	:	
	:	
Defendants.	:	
-----	X	

**STIPULATION VOLUNTARILY DISMISSING COMPLAINT
WITHOUT PREJUDICE**

Pursuant to Federal Rule of Bankruptcy Procedure 7041(a)(1) and Federal Rule of Civil Procedure 41(a)(1), it is hereby stipulated and agreed between the parties that the Complaint in this action, seeking to extend the automatic stay to the non-debtor Defendants in an action pending in the United States District Court for the Northern District of Georgia, is voluntarily dismissed without prejudice, with all parties to bear their own costs.¹

¹ By Order dated March 31, 2006, the United States District Court for the Northern District of Georgia, Atlanta Division (Evans, USDJ) granted the non-Debtor Defendants' motion to dismiss the underlying action, Smith v. Delta Air Lines Inc., Civ. No. 1:04-CV-2592-ODE, as to all counts against all Defendants except Delta.

Dated: New York, New York
April 10, 2006

By: /s/ Jared R. Winnick
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